



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/790,328	03/01/2004	James T. Amburgey	2003-0688.01	8995
21972 7590 08/13/2007 LEXMARK INTERNATIONAL, INC. INTELLECTUAL PROPERTY LAW DEPARTMENT 740 WEST NEW CIRCLE ROAD BLDG. 082-1 LEXINGTON, KY 40550-0999			EXAMINER DISTEFANO, GREGORY A	
			ART UNIT 2176	PAPER NUMBER
			MAIL DATE 08/13/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

MN

Office Action Summary	Application No. 10/790,328	Applicant(s) AMBURGEY ET AL.	
	Examiner Gregory A. DiStefano	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 8-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 8-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>5/17/2007</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the amendment filed on 5/17/2007.
2. The examiner acknowledges applicant's amendments to the specification.
3. As per the amendment, claims 1-4, 8-10 and 12 have been amended and claims 7 and 14-17 have been cancelled. Claims 1-6 and 8-13 remain pending.
4. The examiner notes that the previously recited patent number of Johnson et al., as cited on page 9 of the action mailed 2/20/2007, was misquoted and should read Johnson et al. (US 5,600,776).
5. The examiner would like to further note a discovered clerical error that the previously cited prior arts of Johnson et al. (US 5,600,776), applied to claims 8-10, 12-13, and 11, and Kumpf et al. (US 6,289,371), applied to claim 16, in the action mailed on 2/20/2007, were not recited on the PTO-892 Notice of References Cited. These prior arts have been cited on the attached PTO-892 Notice of References cited.

Specification

6. The previous objections to the specification for minor informalities are hereby withdrawn due to the amendment filed on 5/17/2007.

Drawings

7. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "25" has been used to designate both exemplary icons and a "login" button. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

8. The previous objection to the drawings regarding reference character 30 is hereby withdrawn due to the amendment filed on 5/17/2007.

Claim Rejections - 35 USC § 112

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10. The rejection of claims under 35 U.S.C. 112, first paragraph, is hereby withdrawn due to the amendment filed on 5/17/2007.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over "Windows® XP Power Tools", by Jim Boyce, published in 2002 by Sybex, San Francisco, hereinafter Windows, in view of Kikinis (US 5,752,075).

13. (amended) As per claim 1, Windows teaches the following

a central computer (e.g. network server) having a memory module for storing a plurality of customized icon configuration files corresponding to a plurality of network users each of the plurality of customized icon configuration files providing a specific set of icons arranged in a specific order based upon a personal preference of an associated one of the plurality of network users, (pg. 9, Roaming User Profiles), i.e. a user profile is a collection of folders and data that make up the majority of a user's working environment. A user's profile includes the My Documents folder, Start menu, Desktop, and other folders. On stand-alone computers and in many network installations, the user profile resides on the local computer. The disadvantage to this is that when you log on from another computer, you don't receive the same desktop settings, documents, or other environment settings as when you log on from your primary workstation. A

Art Unit: 2176

roaming profile overcomes that disadvantage by storing your profile on a network server and copying it to the current logon location. This means that you have the same desktop, documents, and settings regardless of where you log on. The examiner interprets applicant's "specific icons arranged in a specific order" to be encompassed by Windows' method of storing a user's desktop. The examiner would like to further note that Windows teaches multiple user accounts may be created and managed as per page 631 and the profiles subsequently changed to roaming profiles as per pages 664 and 665;

However Windows does not explicitly teach a network of multifunctional printers attached to the central computer. Kikinis teaches the following:

a plurality multifunctional printers (printer/scanner/computer combination) coupled to the central computer, each of the plurality of multifunctional printers having a graphical user interface adapted to display at least one of the plurality of customized icon configuration files associated with a current user of the multifunctional printer, (abstract), i.e. an integrated computer, scanner, and printer has elements of all three in a single enclosure with a single CPU performing all of the control tasks for the three, (column 6, lines 42-46), i.e. bus 101, according to a preferred embodiment of the present invention, provides parallel data communication with circuits that are typical and well-known in current PC art, such as a random access memory (RAM) 79, a super video-graphics array (SVGA) display adapter 81, (column 8, lines 29-33), i.e. it will be apparent to one with skill in the art that other peripheral devices such as a hard disk drive or network adapter might replace the floppy disk drive and controller in alternative

embodiments of a single device connected to the host port. The examiner finds that Kikinis teaches that their system may be attached to a network with the described teachings. Therefore, a plurality of the multifunctional printers of Kikinis may be in communication with a server, such as the one taught by Windows.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have installed the Operating System of Windows into the multifunctional printer system of Kikinis. One of ordinary skill in the art would have been motivated to have made such modifications because Kikinis anticipates the need for an operating system as taught in column 2, lines 34-36.

14. Claims 2-6 and 8-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over modified Windows, in view of Kikinis, as applied to claim 1 above, further in view of How to Use Microsoft® Windows XP®, Copyright © 2002 by Sams Publishing, hereinafter Sams.

15. (amended) Regarding claim 2, modified Windows teaches the network of claim 1 as described above. However, Windows does not explicitly teach the iconography as that recited in claim 2. Sams teaches the following:

the graphical user interface on at least one of the plurality of multifunctional printers includes a home screen (pg 6, Login screen) that includes an authentication icon (pg 6, fish icon) to authenticate the current user, (pg 6, Select the User Account), i.e. from the list of available users, click the user account with which you want to log on.

It would have been obvious to one of ordinary skill in the art to have further modified the operating system of windows with the icons of Sams because both Windows and Sams teach different functionality of Microsoft® Windows XP®.

16. (amended) Regarding claim 3, modified Windows teaches the network of claim 2 as described above. Sams further teaches:

activation of the authentication icon (e.g. fish icon) initiates a log-in script(e.g. password) to authenticate the current user, (pg 6, Enter Your Password), i.e. type your password in the box that appears.

17. (amended) Regarding claim 4, Sams teaches the network of claim 2 as described above. Sams further teaches:

the customized icon configuration file associated with the current user is received by the multifunctional printer upon authentication of the current user, (pg. 9, Roaming User Profiles), i.e. this means that you have the same desktop, documents, and settings regardless of where you log on.

18. (original) Regarding claim 5, modified Windows teaches the network of claim 2 as described above. Sams further teaches:

at least one additional customized icon configuration file having a default icon arrangement(pg 129, Fig. For step 6, Guest) not associated with one particular user, (pg 128, How to Set Up Additional User Accounts), i.e. when you first install Windows, two

Art Unit: 2176

accounts are created. One is named whatever name you provide to Windows during installation (usually your name). The other is called a Guest account and has very limited capabilities. The examiner would also like to make note of the default icon arrangement, (pg 10, How to Display Icons on Your Desktop), i.e. if you buy a copy of Windows XP and install it yourself (using the procedures covered in the Appendix), your desktop will be empty except for the Recycle Bin. This is interpreted as the "default" value as no user changes have been implemented.

19. (original) Regarding claim 6, modified Windows teaches the network of Claim 5 as described above. Sams further teaches:

the default icon arrangement includes the authentication icon, (pg 129, Select Changes to Make), i.e. you can change the name of the account, the picture that appears beside it, the type of account, and the password.

20. (amended) As per Claim 8, Windows teaches the following:

storing in the central computer a plurality of customized icon configuration files corresponding to a plurality of network users, each of the plurality of customized icon configuration files providing a specific set of icons arranged in a specific order based upon a personal preference of an associated one of the plurality of network users, (pg. 9, Roaming User Profiles), i.e. a user profile is a collection of folders and data that make up the majority of a user's working environment. A user's profile includes the My Documents folder, Start menu, Desktop, and other folders. On stand-alone computers

Art Unit: 2176

and in many network installations, the user profile resides on the local computer. The disadvantage to this is that when you log on from another computer, you don't receive the same desktop settings, documents, or other environment settings as when you log on from your primary workstation. A roaming profile overcomes that disadvantage by storing your profile on a network server and copying it to the current logon location.

This means that you have the same desktop, documents, and settings regardless of where you log on. The examiner interprets applicant's "specific icons arranged in a specific order" to be encompassed by Windows' method of storing a user's desktop. The examiner would like to further note that Windows teaches multiple user accounts may be created and managed as per page 631 and the profiles subsequently changed to roaming profiles as per pages 664 and 665;

retrieving at the selected multifunctional printer a first one of a the plurality of customized icon configuration files, the retrieved first one of the plurality of customized icon configuration files being preprogrammed for the first user, (pg. 9, Roaming User Profiles), i.e. a user profile is a collection of folders and data that make up the majority of a user's working environment. A user's profile includes the My Documents folder, Start menu, Desktop, and other folders. On stand-alone computers and in many network installations, the user profile resides on the local computer. The disadvantage to this is that when you log on from another computer, you don't receive the same desktop settings, documents, or other environment settings as when you log on from your primary workstation. A roaming profile overcomes that disadvantage by storing your profile on a network server and copying it to the current logon location;

displaying on a graphical user interface of the selected multifunctional printer a first configuration of icons corresponding to the retrieved first one of the plurality of customized icon configuration files, (pg. 9, Roaming User Profiles), i.e. this means that you have the same desktop, documents, and settings regardless of where you log on;

retrieving at the selected multifunctional printer a second one of the plurality of customized icon configuration files, the retrieved second one of the plurality of customized icon configuration files being preprogrammed for the second user, (pg. 9, Roaming User Profiles), i.e. a user profile is a collection of folders and data that make up the majority of a user's working environment. A user's profile includes the My Documents folder, Start menu, Desktop, and other folders. On stand-alone computers and in many network installations, the user profile resides on the local computer. The disadvantage to this is that when you log on from another computer, you don't receive the same desktop settings, documents, or other environment settings as when you log on from your primary workstation. A roaming profile overcomes that disadvantage by storing your profile on a network server and copying it to the current logon location;

displaying on the graphical user interface of the selected multifunctional printer a second configuration of icons corresponding to the retrieved second one of the plurality of customized icon configuration files, (pg. 9, Roaming User Profiles), i.e. this means that you have the same desktop, documents, and settings regardless of where you log on.

However Windows does not explicitly teach a network of multifunctional printers attached to the central computer. Kikinis teaches the following:

Art Unit: 2176

selecting one of the plurality of multifunctional printers in the network, (abstract), i.e. an integrated computer, scanner, and printer has elements of all three in a single enclosure with a single CPU performing all of the control tasks for the three, (column 8, lines 29-33), i.e. it will be apparent to one with skill in the art that other peripheral devices such as a hard disk drive or network adapter might replace the floppy disk drive and controller in alternative embodiments of a single device connected to the host port. The examiner finds that Kikinis teaches that their system may be attached to a network with the described teachings. Therefore, a plurality of the multifunctional printers of Kikinis may be in communication with a server.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have installed the Operating System of Windows into the multifunctional printer system of Kikinis. One of ordinary skill in the art would have been motivated to have made such modifications because Kikinis anticipates the need for an operating system as taught in column 2, lines 34-36;

However, neither Windows nor Kikinis teach a method of authentication and iconography as recited in claim 8. Sams teaches the following:

activating a first user authentication script (e.g. clicking on account) at the selected multifunctional printer, (pg. 6, Select the User Account), i.e. from the list of available users, click the user account with which you want to log on;

authenticating a first user, (pg. 6, Enter Your Password), i.e. type your password in the box that appears;

Art Unit: 2176

activating a second user authentication script at the selected multifunctional printer subsequent to displaying the first configuration of icons, (pg. 26, How to Log Off Windows XP step 1), i.e. click the start button and then choose Log Off, (pg. 27, How to Log Off Windows XP step 4), i.e. as soon as you log off, Windows presents the logon screen. You can now log back on as described in Task 1, (pg. 6, Select the User Account), i.e. from the list of available users, click the user account with which you want to log on;

authenticating a second user, (pg. 6, Enter Your Password), i.e. type your password in the box that appears;

It would have been obvious to one of ordinary skill in the art to have further modified the operating system of windows with the icons of Sams because both Windows and Sams teach different functionality of Microsoft® Windows XP®.

21. (amended) Regarding claim 9, modified Windows teaches the method of claim 8 as described above. Windows further teaches the following:

the retrieved first one of the plurality of customized icon configuration files represents the personal preferences of the first user regarding the type and arrangement of icons displayed on the graphical user interface, (pg. 9, Roaming User Profiles), i.e. a user profile is a collection of folders and data that make up the majority of a user's working environment. A user's profile includes the My Documents folder, Start menu, Desktop, and other folders.

Art Unit: 2176

22. (amended) Regarding claim 10, modified Windows teaches the method of claim 9 as described above. Windows further teaches the following:

the retrieved second one of the plurality of customized icon configuration files represents the personal preferences of the second user regarding the type and arrangement of icons displayed on the graphical user interface, (pg. 9, Roaming User Profiles), i.e. a user profile is a collection of folders and data that make up the majority of a user's working environment. A user's profile includes the My Documents folder, Start menu, Desktop, and other folders. The examiner would like to further note that Windows teaches multiple user accounts may be created and managed as per page 631 and the profiles subsequently changed to roaming profiles as per pages 664 and 665.

23. (original) Regarding claim 11, modified Windows teaches the method of claim 8 as described above. Sams further teaches the following:

displaying an icon on the graphical user interface adapted to activate the user authentication script, (pg 6, Select the User Account), i.e. from the list of available users, click the user account with which you want to log on. The examiner would like to further note that as Sams shows in their teaching of pg 6, user accounts may have associated icons with each of the user names.

24. (amended) Regarding claim 12, modified Windows teaches the method of claim 8 as described above. Windows further teaches the following:

the steps of retrieving a first one of a plurality of icon configuration files and retrieving a second one of the plurality of icon configuration files comprises sending the respective icon configuration file to the device selected multifunctional printer from a the central computer, (pg. 9, Roaming User Profiles), i.e. a roaming profile overcomes that disadvantage by storing your profile on a network server and copying it to the current logon location.

25. (original) Regarding claim 13, modified Windows teaches the method of claim 12. Windows further teaches the following:

the step of sending the respective icon configuration file is initiated by the script, (pg. 9, Roaming User Profiles), i.e. a roaming profile overcomes that disadvantage by storing your profile on a network server and copying it to the current logon location. The examiner finds that this teaching of Windows encompasses applicant's claim in that a user profile is sent to a user's current logon location in response to the user logging in.

Response to Arguments

26. Applicant's arguments filed 5/17/2007 have been fully considered but they are not persuasive.

27. Applicant's arguments will be addressed in the order that they have been submitted in the amendment filed on 5/17/2007.

28. On page 6 of applicant's amendment, applicant states that reference character 25 is used consistently throughout the drawings to broadly designate icons appearing on the graphical user interface 30, rather than to identify specific types of icons.

The examiner respectfully disagrees.

while the reference character 25 is used in several of applicant's figures to represent exemplary icons, several examples can be seen in applicant's specification where specific functionality of certain icons are discussed and therefore these icons require separate reference characters. Specific citing of these functional icons are on page 6, paragraphs [0024] & [0025] where applicant describes a "login" icon 25 as well as standard icons 25, as well as page 7, paragraphs [0027] and [0028] where applicant refers a user touching a specific icon 25 and arranging a set of icons 25.

29. The objections to reference character 30 have been withdrawn obviating applicant's remarks regarding the reference character.

30. Applicant's arguments with respect to claims 1-7 and 14 as being rejected under 35 U.S.C. 102(b) on pages 6-7 have been considered but are moot in view of the new ground(s) of rejection.

31. Applicant's arguments with respect to claims 8-10 and 12-13 under 35 U.S.C. 102(b) in view of Johnson et al. (US 5,600,776) on page 7 have been considered but are moot in view of the new ground(s) of rejection.

32. Applicant's arguments with respect to claim 11 being dependent upon allowable base claims on pages 7-8 are moot in view of the above described rejections of claim 11's base claims.

Conclusion

33. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Jacobs et al. (US 5,694,595), remote user profile management administration in a computer network.
- Lee (US 5,752,049), integrated computer and printer system and method for managing power source therefor.
- Dragulev et al. (US 2001/0037407), system and method for managing user-specific data.
- Hiatt (US 2002/0067503), printer with embedded computer.
- Huang et al. (2003/0195950), virtual desktop in a computer network.

34. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

Art Unit: 2176

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

35. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory A. DiStefano whose telephone number is (571)270-1644. The examiner can normally be reached on 7:30am-5:00pm Mon.-Thurs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on (571)272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2176

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

GAD
8/9/2007

/Doug Hutton/
Supervisory Primary Examiner
Technology Center 2100